

DAVID GERARD JEEP, )  
 )  
 Plaintiff, )  
 )  
 v. ) No. 4:09-CV-1856-CAS  
 )  
 ST. CHARLES COUNTY D.O.C., et al., )  
 )  
 Defendants. )

**IT IS HEREBY CERTIFIED** that an appeal from this dismissal would not be taken in good faith. See 28 U.S.C. § 1915(a)(3).

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 12th day of January, 2010.

<sup>1</sup>On December 10, 2009, the Court dismissed this case as legally frivolous [Docs. 6 and 7]. The Court finds that plaintiff's motion for reconsideration is without merit. Moreover, while leave to amend should be "freely granted," the Court is not required to grant leave to amend a complaint where, as here, the party fails to file the proposed amended pleading. See Wolgin v. Smith, 722 F.2d 389, 395 (8th Cir. 1983) ("to preserve the right to amend a complaint a party must submit a proposed amendment along with its motion").